

The Hon. Lauren King

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

TIMOTHY HURSH,

Defendant,

and

HEIDI GRACE EHLI,

Third-Party Claimant.

NO. CR22-180-LK

**STIPULATION AND  
~~PROPOSED~~ ORDER SETTLING  
THIRD-PARTY CLAIM**

NOTE ON MOTION CALENDAR:  
April 21, 2025

The United States and Third-Party Claimant Heidi Grace Ehli present the following Stipulation and proposed Order to settle Ms. Ehli's asserted interest in a Smith and Wesson M&P 40 Shield pistol, bearing serial number HMT6392 (the "Subject Firearm") that was forfeited by Defendant Timothy Hursh in this case.

**I. BACKGROUND**

Defendant agreed to forfeit the Subject Firearm pursuant to the plea he entered on July 3, 2024. Dkt. No. 262. Prior to Defendant's sentencing, the Court entered a Preliminary Order of Forfeiture forfeiting Defendant's interest in the Subject Firearm. Dkt. No. 313.

As required by 21 U.S.C. § 853(n)(1) and Fed. R. Crim. P. Rule 32.2(b)(6)(C), the United States published notice of the Preliminary Order of Forfeiture and of its intent to dispose of the preliminarily forfeited property, including the Subject Firearm, in accordance with governing law. Dkt. No. 335. That notice informed any third parties claiming an interest in the property that they were required to file a petition with the Court within 60 days of the date of the notice's first publication on September 3, 2024.

*Id.* As required by Fed. R. Crim. P. 32.2(b)(6)(A), the United States sent notice and a copy of the Preliminary Order of Forfeiture to Heidi Grace Ehli, as she appeared to be a potential claimant to the Subject Firearm based on the underlying investigative material.

Ms. Ehli filed a timely claim (Dkt. No. 423), as well as an amended claim signed under penalty of perjury (Dkt. No. 432), to the Subject Firearm. Ms. Ehli asserted she was the rightful owner of the Subject Firearm and that it had been stolen from her.

No competing claims to the Subject Firearm have been filed, and the period for doing so expired on or about November 2, 2024, for the published notice, and April 7, 2025, for direct notice.

## II. STIPULATION

The United States and Ms. Ehli HEREBY STIPULATE to the following:

1. In support of her Claim, Ms. Ehli asserts that she is the rightful owner of the Subject Firearm. Ms. Ehli asserts that she purchased the Subject Firearm from the Tacoma Bass Pro Shop in the summer of 2016.

2. The information provided by Ms. Ehli is consistent with information contained on the firearms trace report for the Subject Firearm ("Tracing Report") prepared by the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"). The Tracing Report confirms that Ms. Ehli was the last individual to purchase the Subject Firearm from a Federal Firearms Licensee ("FFL") and further confirms that Ms. Ehli purchased the Subject Firearm on August 10, 2016, from Bass Pro Shops, a FFL, in Tacoma, Washington.

1           3.     Ms. Ehli asserts that the Subject Firearm was stolen from her in July of  
2 2019.

3           4.     Ms. Ehli asserts that she does not know Defendant or how Defendant  
4 acquired the Subject Firearm.

5           5.     The Federal Bureau of Investigation has confirmed that Ms. Ehli has no  
6 identifiable criminal history precluding her from possessing a firearm at this time.

7           6.     Ms. Ehli affirms that neither she nor any person living in her residence is  
8 prohibited from possessing a firearm.

9           7.     Based on the information and affirmations reflected in Paragraphs 1–5,  
10 above, the United States agrees that Ms. Ehli had a vested interest in the Subject Firearm,  
11 pursuant to 21 U.S.C. § 853(n)(6)(A), before Defendant in this case possessed it.

12           8.     The United States recognizes Ms. Ehli’s vested interest in the Subject  
13 Firearm and agrees to return the Subject Firearm to Ms. Ehli following the criminal  
14 proceedings in this case, to include any criminal appeal. The seizing agency, FBI, will  
15 affect the return of the Subject Firearm to Ms. Ehli.

16           9.     Ms. Ehli understands the Subject Firearm constitutes evidence in this case  
17 and cannot be returned prior to the completion of these criminal proceedings, to include  
18 any criminal appeal.

19           10.    Ms. Ehli understands and agrees the Subject Firearm will be returned to her  
20 in its current condition, as it was seized from Defendant in this case.

21           11.    Ms. Ehli understands and agrees that this Stipulation fully and finally  
22 resolves her claim to the Subject Firearm. Ms. Ehli waives any right to further litigate or  
23 pursue her claim, in this or any other proceeding, judicial or administrative.

24           12.    Upon return of the Subject Firearm, Ms. Ehli agrees to release and hold  
25 harmless the United States, its agents, representatives, and/or employees, as well as any  
26 involved state or local law enforcement agencies, their agents, representatives, and/or  
27

employees, from any and all claims Ms. Ehli may possess, or that could arise, based on the seizure, detention, and return of the Subject Firearm.

13. The United States and Ms. Ehli agree they will each bear their own costs and attorneys' fees associated with the seizure, detention, and return of the Subject Firearm, as well as with Ms. Ehli's claim and this Stipulation.

14. The United States and Ms. Ehli agree that the terms of this Stipulation are subject to review and approval by the Court, as provided in the proposed Order below. If the Court enters the proposed Order, a violation of any term or condition of this Stipulation shall be construed to be a violation of that Order.

Respectfully submitted,  
TEAL LUTHY MILLER  
Acting United States Attorney

DATED: April 21, 2025

s/ Karyn S. Johnson  
KARYN S. JOHNSON  
Assistant United States Attorney  
United States Attorney's Office  
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DATED: April 21, 2025

s/Heidi Grace Ehli  
HEIDI GRACE EHLI\*  
Third-Party Claimant  
Tacoma, Washington  
*\*Signed by AUSA Johnson on behalf of  
Heidi Grace Ehli per email authorization on  
April 21, 2025*

**~~PROPOSED~~ ORDER**

The Court has reviewed the above Stipulation between the United States and Third-Party Claimant Heidi Ehli, settling the interest Ms. Ehli has asserted in the Subject Firearm, Dkt. No. 423, that was forfeited by Defendant Timothy Hursh in this case, Dkt. No. 313.

The Court HEREBY APPROVES the Stipulation and Settlement and its terms.

IT IS SO ORDERED.

DATED this 21st day of April, 2025.

  
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THE HON. LAUREN KING  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify that on April 21, 2025, I electronically filed the foregoing Stipulation and Proposed Order Settling Third-Party Claim to Firearm with the Clerk of the Court using the CM/ECF system, which sends notice of the filing to all ECF participants of record.

I hereby further certify that on April 21, 2025, I served the foregoing Notice on the following parties who are not participating in ECF, at the addresses listed below, by U.S. First Class Mail and/or by electronic mail, as indicated:

Heidi Grace Ehli  
[REDACTED]  
Tacoma, WA 98422  
[REDACTED]gmail.com

s/Hannah G. Williams  
HANNAH G. WILLIAMS  
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